

RESOLUTION NO. 2006-190

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN, EASTLAKE III GENERAL DEVELOPMENT PLAN, THE EASTLAKE III SECTIONAL PLANNING AREA (SPA) PLAN, AND ASSOCIATED REGULATORY DOCUMENTS FOR 18.4 ACRES (AKA EASTLAKE SENIOR HOUSING PROJECT) AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD

I RECITALS

A. Project Site

WHEREAS, the area of land which are the subject of this Resolution are diagrammatically represented in Exhibit A and hereto incorporated herein by this Resolution, and commonly known as EastLake Seniors Project, and for the purpose of general description herein consist of 18.4 acres at the southwest corner of Olympic Parkway and Wueste Road within the EastLake III Planned Community (Project Site); and

B. Project; Application for Discretionary Approvals

WHEREAS, on October 18, 2004, a duly verified application was filed with the City of Chula Vista Planning and Building Department by The EastLake Company, LLC ("Developer"), requesting approval of amendments to the City's General Plan, EastLake III General Development plan, EastLake III Planned Community District Regulations and Land Use Districts Map, and the EastLake III Sectional Planning Area (SPA) plan and associated regulatory documents, including design guidelines, Public Facilities Finance Plan, Air Quality Improvement plan and Water Conservation Plan for the 18.4 acres located at the southwest corner of Olympic Parkway and Wueste Road (Project); and

C. Prior Discretionary Approvals

WHEREAS, development of the Project Site has been the subject matter of various entitlements and agreements, including: 1) a General Plan Amendment, General Development Plan and Sectional Planning Area Plan and associated Design Guidelines, Public Facilities Financing Plan, Water Conservation Plan, Air Quality Improvement Plan and Comprehensive Affordable Housing Plan previously approved by City Council Resolution No. 2002-220 on July 17, 2001, and 2) Planned Community District Regulations and Land Use Districts Map approved by City Council Ordinance No. 2839 on July 24, 2001, and amended by City Council Ordinance No. 2963 on May 18, 2004, and

D Planning Commission Record of Application

WHEREAS, the Planning Commission held an advertised public hearing on the Project on June 14 2006 and voted 4-0-1-0 to forward a recommendation to the City Council on the Project; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on this project held on June 14, 2006 and the minutes and resolution resulting there from, are hereby incorporated into the record of these proceedings; and

E. City Council Record of Application

WHEREAS, the City Clerk set the time and place for the hearing on the Project application and notices of said hearings, together with its purposes given by its publication in a newspaper of general circulation in the city, and its mailing to property owners within 500 feet of the exterior boundaries of the Project Sites at least ten days prior to the hearing.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find, determine and resolve as follows:

II. COMPLIANCE WITH CEQA

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act and has determined that there is substantial evidence, in light of the whole record before the City of Chula Vista, that the project may have a significant effect on the environment; therefore, the Environmental Review Coordinator has prepared a Subsequent Environmental Impact Report (EIR #05-02, SCH #2005091047).

The City Council hereby finds that the Project, as described and analyzed in the Subsequent Environmental Impact Report (EIR #05-02, SCH #2005091047), would have no new effects that were not examined in said Final EIR (Guideline 15168).

III. APPROVAL OF GENERAL PLAN AMENDMENT

The Chula Vista General Plan Land Use Diagram is hereby amended as set forth and diagrammatically represented in Exhibit "A", a copy of which is on file in the office of the City Clerk, to change the land use designation of 18.4 acres at the southwest corner of Olympic Parkway and Wueste Road from Commercial Visitor to Residential High (18-27 Du/Ac).

IV GENERAL PLAN INTERNAL CONSISTENCY

The City Council hereby finds and determines that the General Plan is internally consistent and shall remain internally consistent following the amendments thereon in this Resolution.

V GENERAL DEVELOPMENT PLAN FINDINGS

THE PROPOSED DEVELOPMENT AS DESCRIBED BY THE GENERAL DEVELOPMENT PLAN IS IN CONFORMITY WITH THE PROVISIONS OF THE CHULA VISTA GENERAL PLAN, AS AMENDED

The proposed amendments to the EastLake III General Development Plan reflects the land use, circulation system and public facilities that are consistent with the City's General Plan as proposed to be amended.

PLANNED COMMUNITY CAN BE INITIATED BY ESTABLISHMENT OF SPECIFIC USES OR SECTIONAL PLANNING AREA PLANS WITHIN TWO YEARS OF THE ESTABLISHMENT OF THE PLANNED COMMUNITY ZONE.

The proposed amendments to the EastLake III Sectional Planning area Plan only affects the 18.4 acres known as the EastLake Seniors Project, which was a continuation of the EastLake III SPA Plan policies and development regulations, that was adopted by the City Council on July 23, 2002.

IN THE CASE OF PROPOSED RESIDENTIAL DEVELOPMENT, THAT SUCH DEVELOPMENT WILL CONSTITUTE A RESIDENTIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY, AND THAT IT WILL BE IN HARMONY WITH OR PROVIDE COMPATIBLE VARIETY TO THE CHARACTER OF THE SURROUNDING AREA, AND THAT THE SITES PROPOSED FOR PUBLIC FACILITIES, SUCH AS SCHOOLS, PLAYGROUNDS AND PARKS ARE ADEQUATE TO SERVE THE ANTICIPATED POPULATION AND APPEAR ACCEPTABLE TO THE PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF

The project proposes 494 residential units at high density (nearly 27 Du/Ac). The proposed development is the first 'Active Adult Community' age-restricted (55+) community within the City of Chula Vista, providing additional housing to a segment of retiring-age seniors. The project density and design are compatible with the surrounding Olympic Training Center, future retail commercial, multi-family developments, and Mountain Hawk community park.

VI. ADOPTION OF AMENDED GENERAL DEVELOPMENT PLAN

In light of the findings above, the amended EastLake III General Development Plan is hereby as set forth and diagrammatically represented in Exhibit "B", approved and adopted in the form presented to the City Council and on file in the office of the City Clerk.

VII. SPA FINDINGS/ APPROVAL

- A. THE SECTIONAL PLANNING AREA (SPA) PLANS (AS AMENDED) ARE IN CONFORMITY WITH THE EASTLAKE III GENERAL DEVELOPMENT PLAN AND THE CHULA VISTA GENERAL PLAN

The EastLake III Senior Project SPA Plan amendment reflect the land use, circulation system and public facilities that are consistent with the EastLake III General Development Plan and the City of Chula Vista General Plan as amended and diagrammatically represented in Exhibit "C", approved and adopted in the form presented to the City Council and on file in the office of the City Clerk.

- B. THE SECTIONAL PLANNING AREA PLANS WILL PROMOTE THE ORDERLY SEQUENTIALIZED DEVELOPMENT OF THE INVOLVED SECTIONAL PLANNING AREAS.

The development of the Project Site is subject to the requirements, restrictions and limitations prescribed in the EastLake III Seniors Project Supplemental Public Facilities Finance Plan (PFFP) and therefore will be constructed in the order outlined in the PFFP

- C. THE EASTLAKE SECTIONAL PLANNING AREA (SPA) PLANS, AS AMENDED, WILL NOT ADVERSELY AFFECT ADJACENT LAND USE, RESIDENTIAL ENJOYMENT, CIRCULATION OR ENVIRONMENTAL QUALITY

The Land uses within the EastLake III Seniors Project SPA plan represent the circulation system and overall land use intent as previously envisioned in the EastLake III General Development Plan. Thus, the amended Supplemental SPA will not adversely affect the adjacent land uses, residential enjoyment, circulation or environmental quality of the surrounding uses.

- D. IN THE CASE OF PROPOSED INDUSTRIAL AND RESEARCH USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION, AND OVERALL DESIGN AND DEVELOPMENT STANDARDS ARE SUCH AS TO CREATE A RESEARCH OR INDUSTRIAL ENVIRONMENT OF SUSTAINED DESIRABILITY AND STABILITY, AND, THAT SUCH DEVELOPMENT WILL MEET PERFORMANCE STANDARDS ESTABLISHED BY THIS TITLE.

The amendments do not involve areas planned for industrial or research uses.

- E. IN THE CASE OF INSTITUTIONAL, RECREATIONAL, AND OTHER SIMILAR NONRESIDENTIAL USES, THAT SUCH DEVELOPMENT WILL BE APPROPRIATE IN AREA, LOCATION AND OVER-ALL PLANNING TO THE PURPOSE PROPOSED, AND THAT SURROUNDING AREAS ARE PROTECTED FROM ANY ADVERSE EFFECTS FROM SUCH DEVELOPMENT

The proposed amendments do not involve Institutional, Recreational or similar uses.

- F. THE STREET AND THOROUGHFARES PROPOSED ARE SUITABLE AND ADEQUATE TO CARRY THE ANTICIPATED TRAFFIC THEREON

The Project Site will be served by Olympic Parkway, a 4-lane prime arterial.

Regional access will be provided primarily by I-805 located approximately 7 miles to the west, and eventually by the future SR-125, approximately 2 miles to the west. Required improvements installation timing and financing mechanism are discussed in the EastLake III Seniors Project Supplemental Public Facilities Finance Plan. Thus, the streets proposed to serve the Project Site are suitable and adequate to carry the anticipated traffic thereon.

- G. ANY PROPOSED COMMERCIAL DEVELOPMENT CAN BE JUSTIFIED ECONOMICALLY AT THE LOCATION(S) PROPOSED AND WILL PROVIDE ADEQUATE COMMERCIAL FACILITIES OF THE TYPES NEEDED AT SUCH PROPOSED LOCATION(S).

The proposed amendments do not consist of proposing additional commercial development. A 12-acre retail commercial directly north of the site will serve the commercial needs of the EastLake III community

- H. THE AREA SURROUNDING SAID DEVELOPMENT CAN BE PLANNED AND ZONED IN COORDINATION AND SUBSTANTIAL COMPATIBILITY WITH SAID DEVELOPMENT.

The proposed amendments are consistent with the previously approved plans and regulations applicable to surrounding areas, and therefore said development can be planned and zoned in coordination and substantial compatibility with said development.

BE IT FURTHER RESOLVED that in light of the findings above, the City Council does hereby approve the EastLake III Seniors Project SPA amendments and adopts the amended EastLake III SPA plan as presented in Exhibit "C" subject to the conditions set forth below

#### VIII. SPA PLAN CONDITIONS OF APPROVAL

1. Implement the Federal and State mandated conservation measures outlined in the EastLake III Seniors Project Water Conservation Plan.
2. Implement the non-mandated water conservation measures, which include 1) Hot Water Pipe Insulation 2) Pressure Reducing Valves, and 3) Water Efficient/Drought Tolerant Landscaping.
3. Prior to approval of building permits for each phase of the project, the applicant shall demonstrate that air quality control measures outlined in the EastLake III Seniors Project Air Quality Improvement Plan pertaining to the design, construction and operational phases of the project have been incorporated in the project design.

- 4 Trash collection areas shall be covered, bermed or other approved method as approved by the City Engineer to prevent runoff of water from the trash collection areas across paved areas into the storm drainage systems.
- 5 The applicant shall implement all requirements of the Mitigation Monitoring and Reporting Program as stipulated in FSEIR-05-02.
6. Prior to approval of occupancy permit, the applicant shall prepare educational materials related to MSCP Preserve issues and ensure that the materials are assembled and distributed to the future residents of the project, and signage be posted to provide additional awareness of the proximity of the project to the Preserve, to the satisfaction of the Director of Planning and Building.
- 7 Prior to approval of the Final Map, submit to the Planning and Building Department 20 copies of the adopted EastLake III GDP and PC District Regulations, EastLake III SPA, and associated regulatory documents in plastic 3-ring binders. Specific document format, table of contents, binder size, cover and titles shall be as determined by the Director of Planning and Building.

IX. CONSEQUENCE OF FAILURE OF CONDITIONS


If any of the forgoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, and any of such conditions fail to be so implemented and maintained according to the their terms, the City shall have the right to revoke or modify all approvals herein granted, deny or further condition issuance of shall future building permits, deny, revoke or further condition all certificates of occupancy issued under the authority of approvals herein granted, instituted and prosecute litigate or compel their compliance or seek damages for their violations. No vested rights are gained by Developer or successor in interest by the City approval of this Resolution.

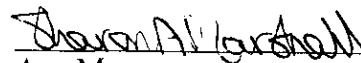
X. INVALIDITY, AUTOMATIC REVOCATION

It is the intention of the City Council that its adoption of this Resolution is dependent upon enforceability of each and every term provision and condition herein stated; and that in the event that any one or more terms, provisions or conditions are determined by the Court of competent jurisdiction to be invalid, illegal or unenforceable, if the city so determines in its sole discretion, this resolution shall be deemed to be revoked and no further in force or in effect.

Presented By

Approved as to form by

  
James D. Sandoval  
Planning and Building Director

  
Ann Moore  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 20th day of June 2006 by the following vote:

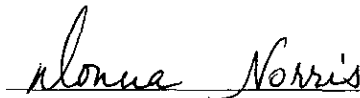
AYES            Councilmembers:    Castaneda, Chavez, McCann, Rindone, and Padilla

NAYS.          Councilmembers:    None

ABSENT        Councilmembers:    None

  
Stephen C. Padilla, Mayor


ATTEST

  
for Susan Bigelow, MMC, City Clerk

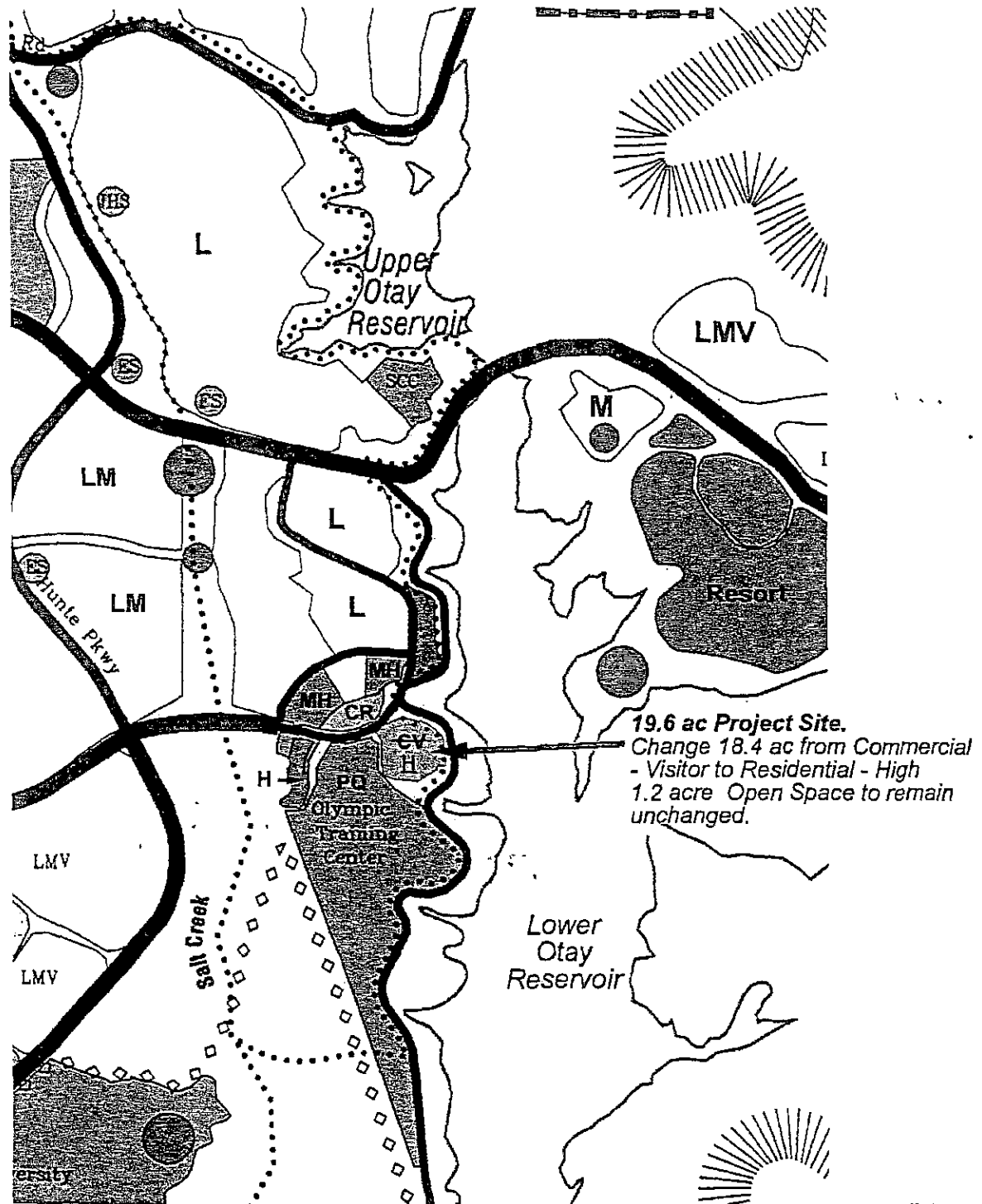
STATE OF CALIFORNIA        )  
COUNTY OF SAN DIEGO     )  
CITY OF CHULA VISTA       )

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2006-190 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 20th day of June 2006

Executed this 20th day of June 2006.

  
for Susan Bigelow, MMC, City Clerk

# General Plan Amendment

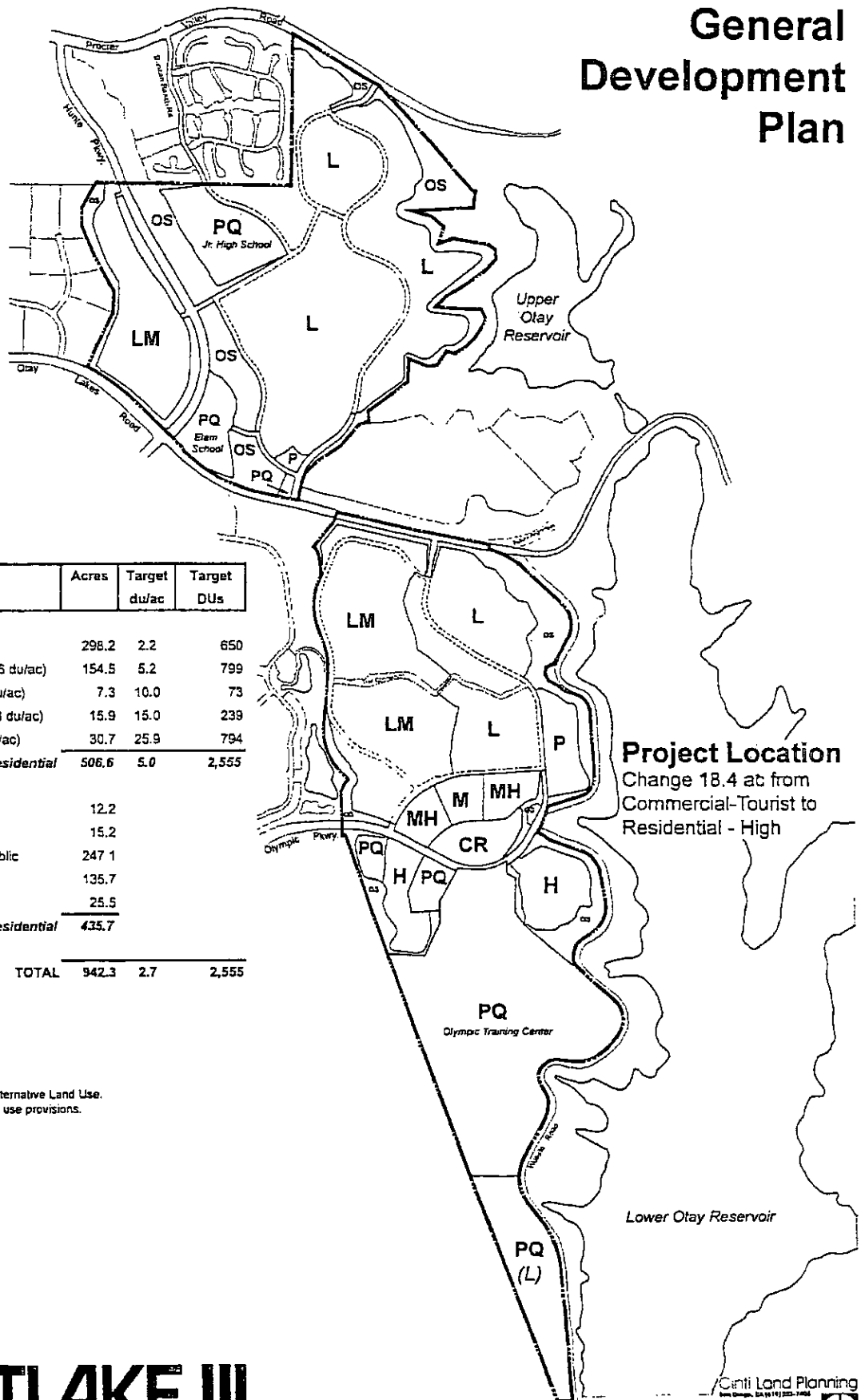




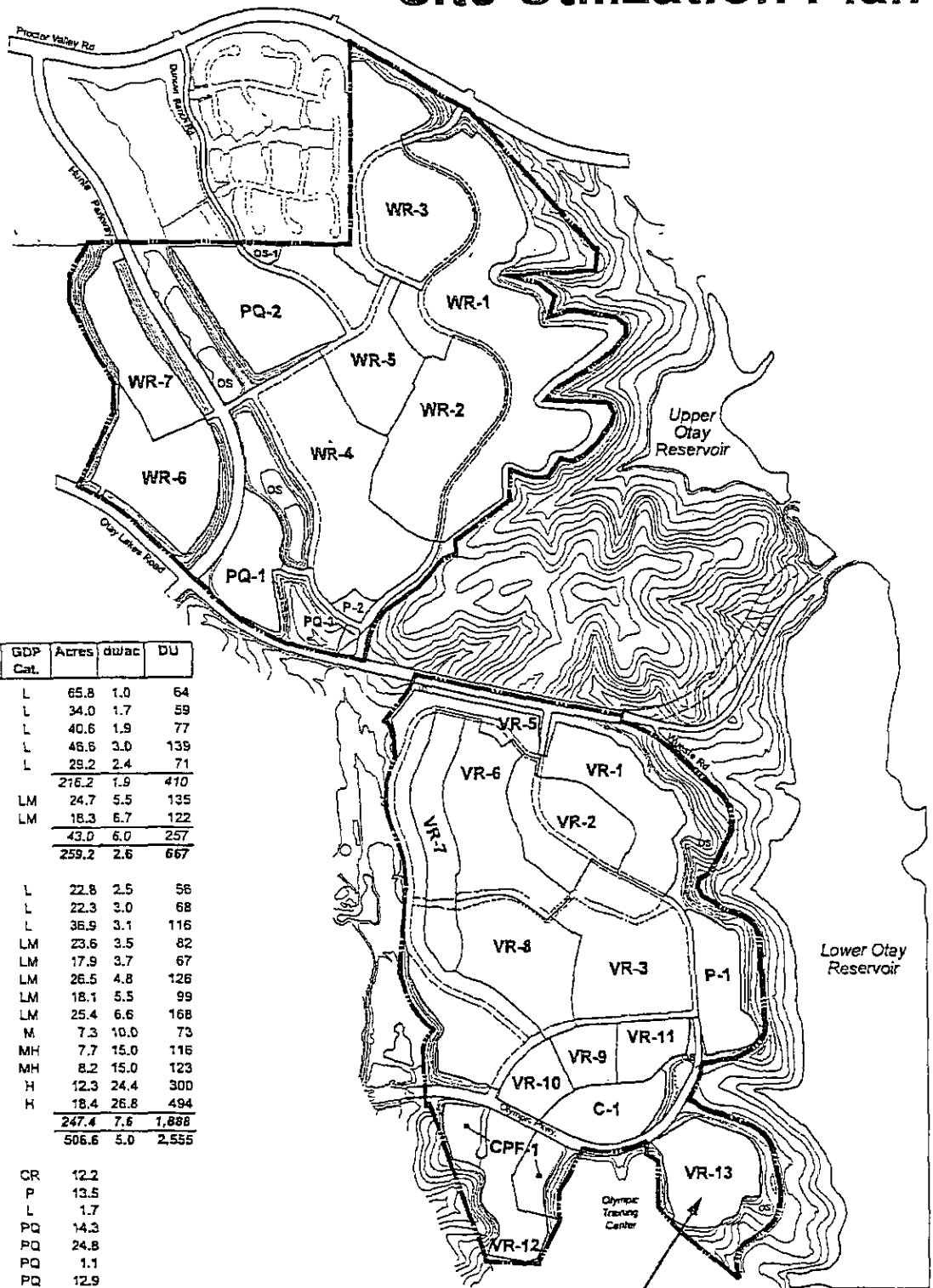
# General Development Plan

Land Use	Acres	Target du/ac	Target DUs	
RESIDENTIAL				
L	Low (0-3 du/ac)	298.2	2.2	650
LM	Low Medium (3-6 du/ac)	154.5	5.2	799
M	Medium (6-11 du/ac)	7.3	10.0	73
MH	Med-High (11-18 du/ac)	15.9	15.0	239
H	High (18-27+ du/ac)	30.7	25.9	794
Sub-total Residential		506.6	5.0	2,555
NON-RESIDENTIAL				
CR	Comm. Retail	12.2		
P	Park	15.2		
PQ	Public/Quasi-Public	247.1		
OS	Open Space	135.7		
	Circulation	25.5		
Subtotal Non-Residential		435.7		
TOTAL		942.3	2.7	2,555

(L) = Underlying Low Density alternative Land Use.  
Refer to text for alternative land use provisions.



# Site Utilization Plan



## RESIDENTIAL

### Woods

Parcel Number	Land Use	GDP Cat.	Acres	dw/ac	DU
WR-1	Single Family	L	65.8	1.0	64
WR-2	Single Family	L	34.0	1.7	59
WR-3	Single Family	L	40.6	1.9	77
WR-4	Single Family	L	46.6	3.0	139
WR-5	Single Family	L	29.2	2.4	71
Residential Sub-total (Woods East)			216.2	1.9	410
WR-6	Single Family	LM	24.7	5.5	135
WR-7	Single Family	LM	18.3	6.7	122
Residential Sub-total (Woods West)			43.0	6.0	257
Residential Sub-total (Woods):			259.2	2.6	667

### Vistas

VR-1	Single Family	L	22.8	2.5	56
VR-2	Single Family	L	22.3	3.0	68
VR-3	Single Family	L	36.9	3.1	116
VR-4	Single Family	LM	23.6	3.5	82
VR-5	Single Family	LM	17.9	3.7	67
VR-6	Single Family	LM	26.5	4.8	126
VR-7	Single Family	LM	18.1	5.5	99
VR-8	Single Family	LM	25.4	6.6	168
VR-9	Single/Multi-Family	M	7.3	10.0	73
VR-10	Multi-Family	MH	7.7	15.0	116
VR-11	Multi-Family	MH	8.2	15.0	123
VR-12	Multi-Family	H	12.3	24.4	300
VR-13	Multi-Family Seniors	H	18.4	26.8	494
Residential Sub-total (Vistas):			247.4	7.6	1,888
Sub-total Residential			506.6	5.0	2,555

### NON-RESIDENTIAL

C-1	Commercial- Retail	CR	12.2		
P-1	Public Park	P	13.5		
P-2	Private Recreation	L	1.7		
PQ-1	Elementary School	PQ	14.3		
PQ-2	Jr. High School	PQ	24.8		
PQ-3	Fire Station	PQ	1.1		
CPF-1	Comm. Purpose Fac.	PQ	12.9		
OS	Open Space*	OS	134.6		
OS-1	OS/School Parking	OS	1.1		
	Major Circulation	cir	25.5		
Sub-total Non-Residential			241.7		
PROJECT TOTAL			748.3	3.4	2,555

## Project Location

Change 18.4 ac from Commercial Tourist (C-2) to Multi-family Seniors (VR-13)

**EASTLAKE III**  
A planned community by The EastLake Company

Exhibit C

Cinti Land Planning  
San Diego, CA (619) 222-7808  
6-6-06